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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**BENSLEY CONSTRUCTION,
INC., et al.,**

Plaintiffs,

V.

MARSH & MCLENNAN
COMPANIES INC, et al.,

Defendants.

No. 2:06-cv-00716 (FSH)

**NOTICE OF VOLUNTARY
DISMISSAL OF BENSLEY
CONSTRUCTION, INC.**

COMES NOW Bensley Construction, Inc., (“Bensley”) individually, and states as follows:

1. This action was previously pending in the U.S. District Court for the District of Massachusetts. On or about July 25, 2005, Bensley filed a Motion to Substitute Representative Plaintiff and for Leave to File a Second Amended Complaint. As stated in that motion, Bensley no longer wished to participate in

this matter and had asked to be removed as representative plaintiff.

2. However, before ruling on this motion, the District of Massachusetts stayed the action pending resolution of a Conditional Transfer Order issued by the Judicial Panel on Multidistrict Litigation (“JPML”). This action has since been transferred to this Court for consolidation with MDL 1663: *In re Insurance Brokerage Antitrust Litigation*, and consequently, Bensley’s request to be removed has not yet been granted.

3. No defendant has served an Answer or Motion for Summary Judgment in this matter.

4. Consequently, pursuant to Fed. R. Civ. P. 41(a)(1)(i), Bensley now dismisses its claims in this matter, with prejudice.

Dated: June 22, 2006

By:

/s/ Kenneth G Gilman
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CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2006, I caused a true and correct copy of the within Notice of Voluntary Dismissal to be sent for filing to the Clerk of the United States District Court for the District of New Jersey via electronic filing to the CM/ECF system, which will send notification of such filing to all counsel on the attached service list, with the exception of those counsel that are not yet registered e-filers with the United States District Court for the District of New Jersey. On this same date, hard copies of the above-referenced documents were mailed through the U.S. Postal Service to all counsel who are not registered e-filers.

/s/ Kenneth G. Gilman
Kenneth G. Gilman

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